



Working for a brighter future together

Environment and Communities Committee

Date of Meeting: 7th July 2021

Report Title: Implications of the Environment Bill on Waste and Recycling Services

Report of: Frank Jordan, Executive Director Place

Report Reference No: EC/01/21-22

Ward(s) Affected: All

1. Executive Summary

1.1. The Government has published consultations on new waste management and funding changes for 2023. Significant changes to our household recycling and waste collections may be required that will support the Council's objectives to reduce, reuse and recycle. Key aspects include:

- A drive for consistency and minimum service standards that requires food waste to be collected separately and weekly from all properties by 2023. Implications – we may need to change so all residents have a weekly food collection and separate containers for this. Other changes to the way we collect waste and recycling may also be necessary to accommodate this change
- Collecting a core of 6 recycling items, separately. Implications - we currently cover all 6 items BUT not separately. Our silver bin scheme may need to be adapted with additional containers
- The introduction of a Deposit Return Scheme. Consumers pay a deposit for the single-use container (e.g. a plastic bottle), at the point of purchase, repayable when the container is returned. Implications – there will be a reduction in the quantity and value of materials from our recycling service
- The introduction of Extended Producer Responsibility. Producers of packaging will pay the 'full net cost of recovery' to a central body who would pay the Council's cost of managing that material. Implications – Payments could depend on how closely the Council aligns with the

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prescribed collection system. Government is proposing to fund all these changes, but details are not available.

2. Recommendations

- 2.1.** That the detail and implications for our recycling and waste collection service are noted.
- 2.2.** That authority be delegated to the Head of Environmental Services to have the ability to consult on potential service changes, if required by requirements of the final form of Environment bill once it passes into legislation.

3. Reasons for Recommendations

- 3.1.** The Environmental Services team recognise that there may be significant changes imposed on the current collection service. We want the Environment and Communities committee to be fully aware. If the changes are mandated there will be considerable expenditure, both of capital items and ongoing revenue. The Government are stating they will be providing this funding. The amount the Council receives could be dependent on how closely it is aligned with the prescribed scheme.
- 3.2.** Given the potential breadth of the changes that may be required by the final form of Environment bill once it passes into legislation, it is important that Members, officers and residents have a clear understanding of what is happening. If change is required, the Council will need to consult fully with our residents to communicate why change is required and to allow residents views to inform future service design.

4. Other Options Considered

- 4.1.** The intended legislative changes will be a requirement on all English local authorities and therefore no other options are open to the Council.

5. Background

- 5.1.** The Governments ambitions on the environment are articulated in the 25-year Environment Plan (2018) and the Resources and Waste Strategy (2018) with the key legislation that will take forward these measures in the Environment Bill, that is currently progressing in Parliament. At the heart of this is the desire to encourage everyone to reduce, reuse and recycle. The results of this will be to fundamentally alter the amount of waste generated, the nature of that waste, and how waste management systems are operated and funded.

5.2. THE RESOURCES AND WASTE STRATEGY 2018 - states:

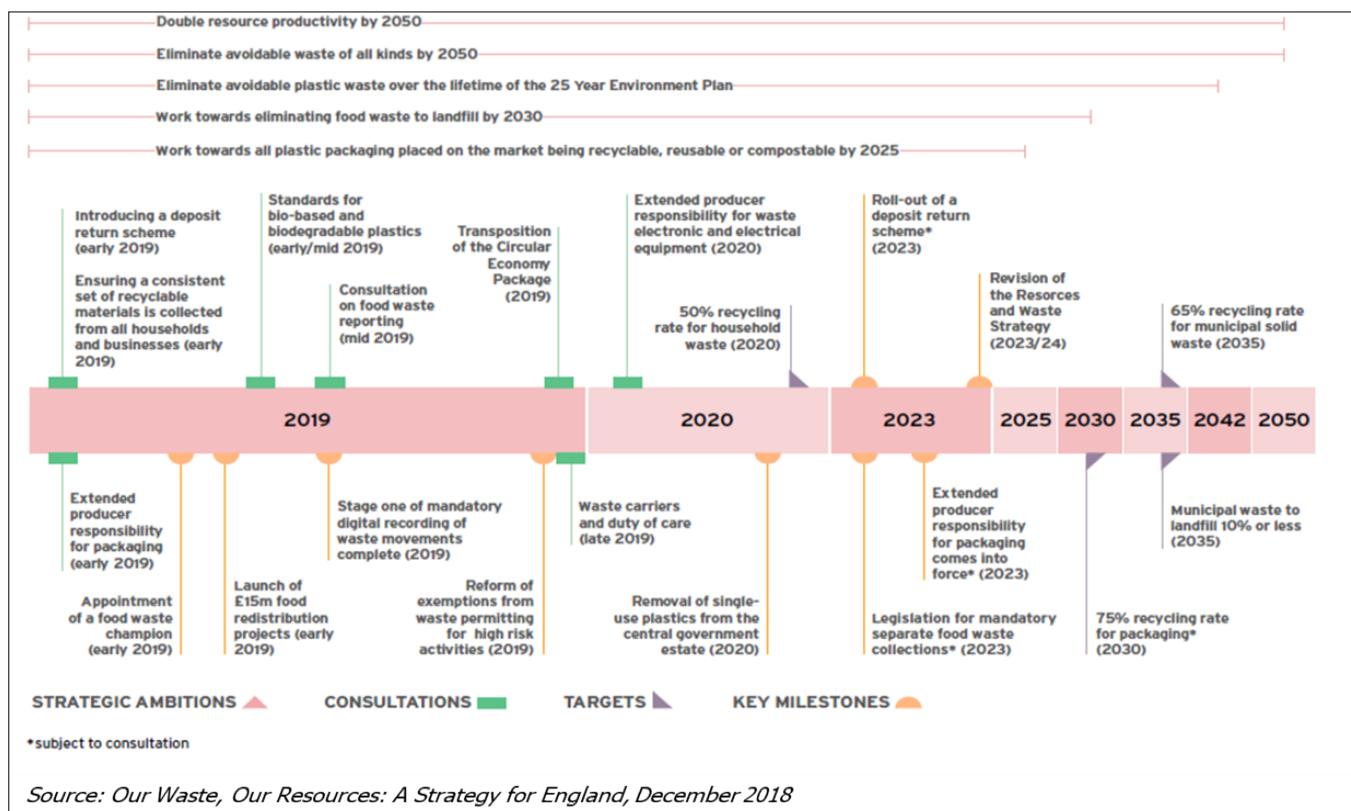
“Our Strategy sets out how we will preserve our stock of material resources by minimising waste, promoting resource efficiency and moving towards a circular economy. At the same time, we will minimise the damage caused to our natural environment by reducing and managing waste safely and carefully, and by tackling waste crime.”

- 5.3.** The Resources and Waste Strategy sets out five strategic ambitions which it will contribute to the delivery of:

- To work towards all plastic packaging placed on the market being recyclable, reusable, or compostable by 2025
 - To work towards eliminating food waste to landfill by 2030
 - To eliminate avoidable plastic waste over the lifetime of the 25 Year Environment Plan
 - To double resource productivity by 2050; and
 - To eliminate avoidable waste of all kinds by 2050.
- 5.4.** In order to deliver on these ambitions, the Strategy looks to use three tools - a Deposit Return Scheme, Extended Producer Responsibility and setting minimum standards for all local authorities under a consistency agenda. It is these that the Environment Bill is enabling.
- 5.5. Consistency** - the Government is considering the viability of implementing the following standards:
- the collection of a consistent suite of core materials at the kerbside including glass bottles and containers; paper and card; plastic bottles; plastic pots, tubs and trays; and steel and aluminium tins and cans
 - Weekly separate food waste collections (i.e. not co-mingled with garden waste, although potentially collected on the same vehicle)
 - Free garden waste collections.
- 5.6.** Of these standards, the Council currently collects all the materials required however, there are two key issues. The Government states that these materials should be 1. Collected separately from others, not in a single container (silver bin), and 2. Food waste to be collected on a weekly basis. With regard to the collection of dry recycling the expectation is that these will be collected separately - glass, paper and card, metal and plastic. There will be significant implications on our current system, and it is yet to be determined the best approach – small containers in the silver bin? Replacement of the silver bin with a range of smaller ones?
- 5.7.** The implications of a separate weekly collection of food waste are far reaching. A new collection regime will need to be introduced and carefully designed to ensure this is as efficient as possible, minimising any increase in carbon emissions. The Council may also consider mitigation measure to accompany the increase in food waste collections such as a reduced size residual bin introduced at the same time
- 5.8.** The Government does concede that mandating these requirements can impose challenging burdens on local authorities and therefore have enabled some exceptions. There is a possibility to prepare a written assessment on the Council's choices that might differ from the preferred but these need to show clearly that there are strong technical, economic, environmental and practical arguments for it. The Council's current silver bin scheme is delivered under such an exception. The proposed consultation on options will provide additional

evidence of public opinion for their written assessment if we decide to apply for this.

- 5.9. Whilst the planned changes are extensive, they will support our corporate plan and Municipal Waste Management Strategy objectives of reducing waste and enhancing the local environment.
- 5.10. **Deposit Return Scheme.** This is aimed at tackling those materials that are commonly littered by placing a small deposit charge on them. Many drinks containers of glass, plastic or metal end up littering the environment and therefore if consumers can be encouraged to return them there should be less litter.
- 5.11. From Cheshire East's perspective, this measure would help to deliver the Council's objective to reduce littering, but it will also impact on its recycling service. The targeted materials are of higher value and will be removed from the system. The Council may have difficulty in contracting for sorting of the recycling from the silver bin as the materials will have less value. It has not yet been determined whether the Council will receive a fee for any management of these materials within the kerbside collection however, the Extended Producer Responsibility scheme may provide additional finance for waste collections, to mitigate this.
- 5.12. **Extended Producer Responsibility** - aims to recover the 'full net cost from producers for the packaging that they create (e.g. plastic bottles, cans, etc.). Producers would be responsible for funding the management of packaging at the end of its life. Any funding passed on to local authorities to support their frontline collection services will come from Extended Producer Responsibility payments. It is also likely that any such payments will only be paid if the authority meets the minimum requirements in terms of material consistency, service standards and in relation to food waste collections.
- 5.13. A modulated fee approach is anticipated, whereby producers pay more to place products on the market which are more difficult to recycle and less where products are easier to recycle. The impact should be that it encourages eco product design and that over time there may be less money available in the system, but that packaging should be easier to recycle.
- 5.14. The Government carried out consultations on all three elements – Drinks Return Scheme, Extended Producer Responsibility and Consistency, in April – July 2021 and will be providing their response having considered the feedback. The table below shows the anticipated timescales, though there is recognition that the pandemic has delayed the consultations.



Source: Our Waste, Our Resources: A Strategy for England, December 2018

6. Consultation and Engagement

- 6.1. The Government recently carried out a consultation on all three elements of their strategy and when these are finalised the Council will have a better understanding of what is required.
- 6.2. Full engagement with the Environment and Communities committee and residents will occur when those mandated elements, such as weekly collections of food from all householders (not just garden bin users), need to be introduced. Borough wide communications will be carried out and a detailed roll-out plan prepared.
- 6.3. It is proposed that a consultation on possible options be undertaken to inform council thinking on a new collection service.

7. Implications

7.1. Legal

- 7.1.1. Where the Environment Bill mandates the authority to follow particular practices, the Council will comply with all such requirements in line with its statutory duty under the Environmental Protection Act 1990, to collect waste from households in its area.

7.2. Finance

- 7.2.1. The Government's response to the consultations will have a long-lasting impact on finances within the waste sector. There remains a significant degree of uncertainty as to how the funding for the planned changes will be realised. It has been reiterated that any new burdens

will be funded centrally. It is anticipated that an introduction of weekly food waste collections, separate containers for some recycling materials, new vehicles and crews, new routes etc. would cost several million pounds.

- 7.2.2.** In addition to the Government's commitment of funding, the Council will also be receiving income from the organising body running the Extended Producer Responsibility scheme. This body will have collected fees from packaging producers for the cost of managing their waste and then redirect these to local authorities. Theoretically all the service's costs will be covered by these payments, including street cleansing costs tackling littering.
- 7.2.3.** There is a lack of clarity with regard to the Drinks Return Scheme. The scheme will remove some valuable materials from the Council's collections. It is yet to be determined if local authorities will receive funding for handling some of the materials that could have been returned but end up in the kerbside collection.
- 7.2.4.** It should be noted that if the bill passed into legislation in its current form there may be significant implications for capital and revenue in the coming years which will need to be recognised as a risk in the Medium-Term Financial Strategy 2021-25.
- 7.2.5.** Some of the planned central funding will be dependent on the service being 'efficient and cost effective'. It is important that there is revenue feasibility funding to help determine what the best approach is for the authority.

7.3. Policy

- 7.3.1.** The recent refresh of the Municipal Waste Management Strategy acknowledges the potential changes and fully discusses its implications in Chapter 3, Policy and Legislative Context - [Strategy](#)

7.4. Equality

- 7.4.1.** The current garden/food waste collection service is available to residents with garden bins. The introduction of weekly, separate food waste collection will be rolled out to all households, including flats.
- 7.4.2.** The collection service will continue to provide an assisted service to all residents who require their bin collected and returned to their property

7.5. Human Resources

- 7.5.1.** It is likely that there will be significant demands placed on the existing staff as changes are introduced. With the requirement to increase the frequency of collections and collect recycling separately there may be a need to increase the workforce.

7.6. Risk Management

- 7.6.1.** The changes that are being discussed will be far reaching. There is need for further clarity, but this is currently unavailable. The timeline for the major changes is extremely ambitious and therefore there is a risk that it will not be met.
- 7.6.2.** The changes will occur across over 360 local authorities and therefore it is likely that the purchase of capital items such as fleet and containers may be delayed as orders are placed. There are currently delivery issues with containers, and this is likely to intensify as the reforms are introduced across the country.
- 7.6.3.** To inform the process an officer change board has been established between the Council and Ansa Environmental Services to oversee feasibility and change implementation. Implications and potential opportunities will be assessed as part of this process. It is not anticipated however this will impact on our current service delivery model though Ansa Environmental Services Ltd.

7.7. Rural Communities

- 7.7.1.** The new scheme looks to provide all residents with the same level of service and therefore this will not negatively impact rural communities.

7.8. Children and Young People/Cared for Children

- 7.8.1.** As part of the waste education service through Ansa we will continue to work closely with schools through the Junior Recycling Officer scheme and our high schools.

7.9. Public Health

- 7.9.1.** The introduction of a weekly food waste collection will see this material removed more frequently.

7.10. Climate Change

- 7.10.1.** In accordance with the Council's commitment to achieving carbon neutrality for its own operations by 2025 all changes will need to be carried out with the best carbon approach possible and the changes to the carbon footprint of waste collections will need to be recalculated.
- 7.10.2.** The proposed changes represent an opportunity for the council to consider making wider changes to the disposal of waste collections.
- 7.10.3.** Moving to weekly collections for food waste and collecting recyclable items separately will lead to a change in refuse collection vehicles, the Council should explore making use of new technology to reduce the carbon footprint of the fleet.

Access to Information	
Contact Officer:	Ralph Kemp Ralph.kemp@cheshireeast.gov.uk
Appendices:	None
Background Papers:	Municipal Waste Management Strategy Chapter 3 Household Waste Recycling Centre New Contract Service provision Report Appendix C p46 Resources and Waste Strategy - resources-and-waste-strategy-for-England

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